

IN RE: PETITION FOR ADMIN. VARIANCE
E/S Graveswood Court, 207' N of
the c/l of Autumn View Way
(9 Graveswood Court)
9th Election District
6th Councilmanic District
Charles M. Thomas, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 94-190-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance filed by the owners of the subject property, Charles M. and Catherine A. Thomas. The Petitioners seek relief from Section 504.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.6.a of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a window to street right-of-way setback of 22 feet in lieu of the required 25 feet for an existing building in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 11th day of December, 1993 that the Petition for Administrative Variance seeking relief from Section 504.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.6.a of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a window to street right-of-way setback of 22 feet in lieu of the required 25 feet for an existing building, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 11/16/93
By [Signature]

- 2 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

December 7, 1993

(410) 887-4386

John B. Gontum, Esquire
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: PETITION FOR ADMINISTRATIVE VARIANCE
E/S Graveswood Court, 207' N of the c/l of Autumn View Way
(9 Graveswood Court)
9th Election District - 6th Councilmanic District
Charles M. Thomas, et ux - Petitioners
Case No. 94-190-A

Dear Mr. & Mrs. Thomas:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. Charles M. Thomas
9 Graveswood Court, Baltimore, Md. 21234

People's Counsel

file

Printed on Recycled Paper

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 94-190-A
which is presently zoned 94-190-A

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned hereby certifies that the information furnished herein is true and correct to the best of his/her knowledge and belief.

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: November 16, 1993

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item No. 194.

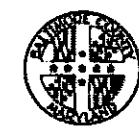
If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey M. Long*

Division Chief: *Carol L. Kerns*

PK/JL:lw

ZAC-194/PZONE/ZAC1

Baltimore County Government
Department of Permits and Licenses

111 West Chesapeake Avenue
Towson, MD 21204

NOVEMBER 18, 1993

(410) 887-3610

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

MEETING OF NOVEMBER 15, 1993

Property Owner: Roger Wadkins and Beatrice K. Wadkins
Location: #1630 Cape May Road
Item No.: 190 (JRF)

Property Owner: Catherine O. Deen & Holly Lee Deen
Location: #11823 Manor Road
Item No.: 193 (JCM)

Property Owner: Charles Michael Thomas & Catherine A. Thomas
Location: #9 Graveswood Road
Item No.: *194 (WCR)

Property Owner: Michael J. Biller & Pamela M. Biller
Location: #2311 Shaded Brook Drive
Item No.: *195 (JRF)

Property Owner: Edward C. Byrnes & Lisa S. Byrnes
Location: #1710 Kurtz Avenue
Item No.: *196 (JJS)

Property Owner: Sylvester W. Applebaum and
Location: Dorothy J. Applebaum
Item No.: #401 Oak Forest Avenue
*197 (JJS)

Property Owner: Carolyn H. Robinson & Timothy W. Robinson
Location: #2212 Dalewood Road
Item No.: *198 (RT)

Property Owner: George H. Woodward & Doris C. Woodward
Location: #19504 Resh Mill Road
Item No.: *199 (JCM/JRF)

Gentlemen:

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on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

November 17, 1993

(410) 887-3353

John B. Gontrum, Esquire
Romada, Gontrum & McLaughlin
814 Eastern Boulevard
Baltimore, MD 21221

RE: Preliminary Petition Review (Item #194)
Legal Owner: Charles Michael Thomas &
Catherine A. Thomas
9 Graveswood Court
9th Election District

Dear Mr. Gontrum:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$50.00 revision fee.

1. The Final Development Plan of Satyr Hill Estates must be amended. The variance petition must reflect this relief in the petition heading (Petition for Administrative Variance and To Amend The Final Development Plan of Satyr Hill Estates). An additional \$50.00 filing fee is required for such an amendment.

2. The relief paragraph should read as follows: "...a variance from Section(s) 504.2; BCZR (V.B.6.a.; CMUP), to permit a window to street right-of-way setback of 22 feet in lieu of the required 25 feet."

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John B. Gontrum, Esquire
November 17, 1993
Page 2

If there have been no prior zoning hearings on this petition, the petitioner should indicate with "None" under "Hearings Information" on the site plan.

If you need further information or have any questions, please do not hesitate to contact me at 887-3353.

Very truly yours,
John B. Gontrum
John B. Gontrum, Esquire

JCM:mc

Enclosure (receipt)

cc: Zoning Commissioner

74-190-A

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

NOVEMBER 10, 1993

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Charles Michael Thomas and Catherine A. Thomas
9 Graveswood Court
Baltimore, Maryland 21224

Re: CASE NUMBER: 94-190-A (Item 194)
9 Graveswood Road
8/8 Graveswood Road, 207 +/- W of c/l Autumn View Way
9th Election District - 6th Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3353. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before November 21, 1993. The closing date (December 6, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

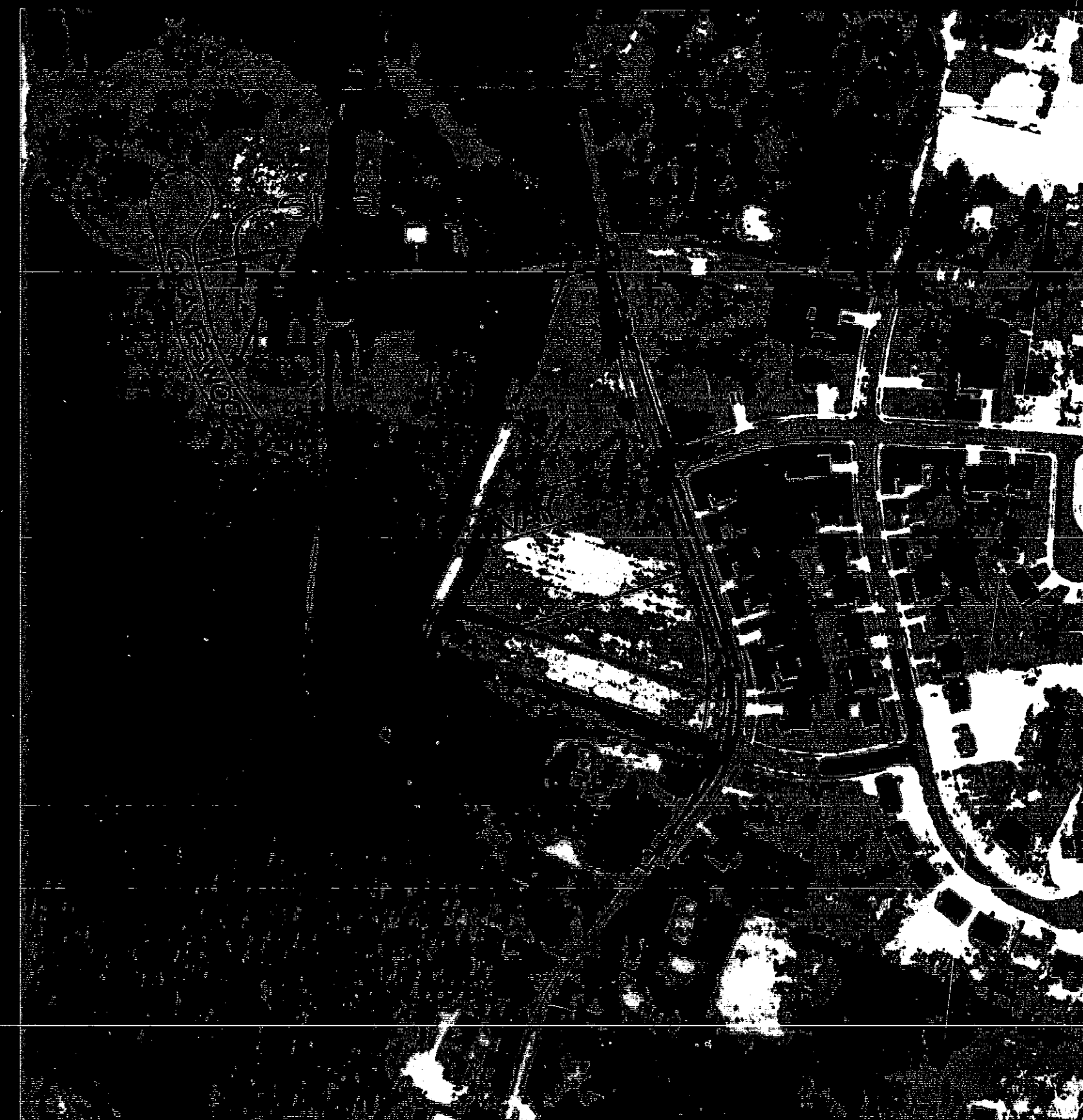
3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

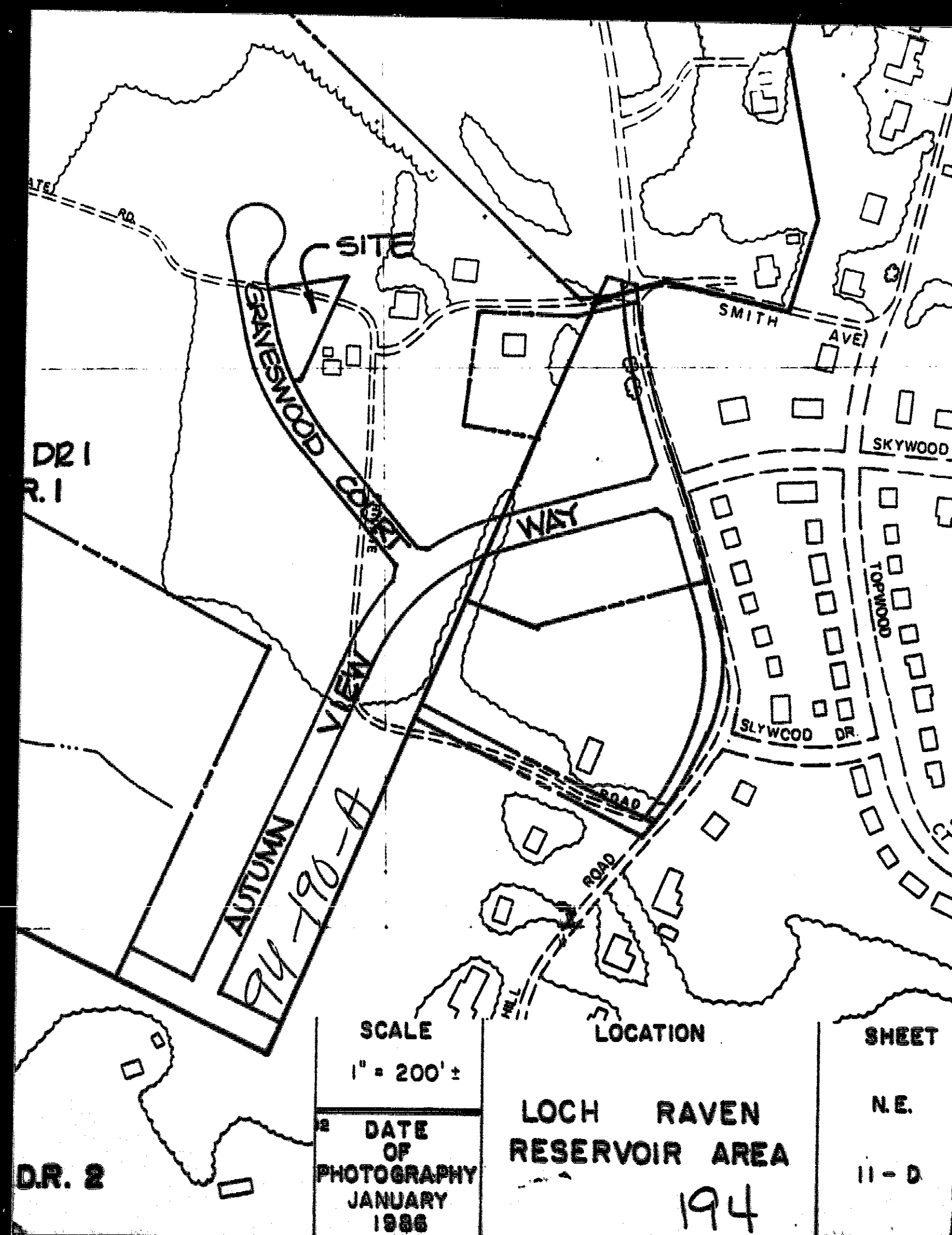
Carol L. Kerns
Arnold Jablon
Director

cc: John Gontrum, Esq.

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SCALE 1" = 200' ± LOCATION SHEET
DATE OF PHOTOGRAPHY JANUARY 1988
LOCKE RAVEN RESERVOIR AREA N.E. II-D
94-190-A 194



SCALE 1" = 200' ± LOCATION SHEET
DATE OF PHOTOGRAPHY JANUARY 1988
LOCKE RAVEN RESERVOIR AREA N.E. II-D
94-190-A 194

Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 9 GRAVESWOOD COURT

Subdivision name: SATYR HILL ESTATES
Plot book # 22, folio 122, lot # 24, section 1

OWNER: C. MICHAEL THOMAS & CATHERINE A. THOMAS

SEE PAGES 2 & 3 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

94-190-A

PET. EX. 1

LOT 32

LOT 34

GRAVESWOOD COURT

SETBACK LINE

TO 4 AUTUMN VIEW WAY

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